

EXHIBIT A

AFFIDAVIT OF SERVICE

Case: 2222- AC05657	Court: 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS MISSOURI	County: Saint Louis City, MO	Job: ARS-22116
Plaintiff / Petitioner: VALERIE WESTBROOK		Defendant / Respondent: CREDIT CONTROL, LLC	
Received by: ASSOCIATED RESEARCH SERVICES, LLC		For: VOYTAS LAW, LLC	
To be served upon: CREDIT CONTROL, LLC			

I, MARK EFFINGER, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: CREDIT CONTROL, LLC , Company: 3300 RIDER TRAIL S, SUITE 500, EARTH CITY, MISSOURI 63045

Manner of Service: Substitute Service - Business, May 27, 2022, 2:57 pm CDT

Documents: ASSOCIATE DIVISION SUMMONS (Received May 27, 2022 at 12:52pm CDT)

Additional Comments:

1) Successful Attempt: May 27, 2022, 2:57 pm CDT at Company: 3300 RIDER TRAIL S, SUITE 500, EARTH CITY, MISSOURI 63045 received by CREDIT CONTROL, LLC .


SERVED CREDIT CONTROL, LLC VIA RACHEL TURMAN (SYSTEM SUPPORT SPECIALIST). LOCATED AT 3300 RIDER TRAIL S. STE. 500 EARTH CITY, MISSOURI 63045. SERVICE WAS EXECUTED ON 5-27-2022 AT 2:57 PM.

Service Fee: \$75.00

Non-EST: \$0

Mileage: \$0

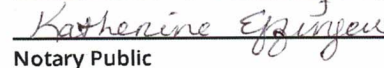
Total: \$75.00

 5-27-2022
MARK EFFINGER Date

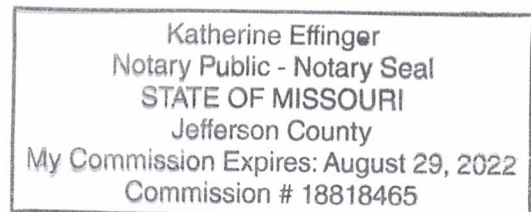
ASSOCIATED RESEARCH SERVICES, LLC
109 WALNUT #785
FESTUS, MO 63028
314 713 1053

Signed and sworn to before me, a notary public, on this

27 day of May, 2022


Notary Public

8-29-2022
My Commission Expires





IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

Judge or Division: LYNNE RAYNARD PERKINS	Case Number: 2222-AC05657	Special Process Server 1 M EFFINGER
Plaintiff/Petitioner: VALERIE WESTBROOK	Plaintiff's/Petitioner's Attorney/Address: RICHARD ANTHONY VOYTAS VOYTAS LAW LLC 7321 S LINDBERGH BLVD SUITE 101 SAINT LOUIS, MO 63125 (314) 380-3166	Special Process Server 2
Defendant/Respondent: CREDIT CONTROL, LLC	Date, Time and Location of Court Appearance: 29-JUN-2022, 09:30 AM Division 28 CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101 Please see the attached information for appearing via WebEx. WebEx connection information may also be found at http://www.stlcircuitcourt.com/	Special Process Server 3
Nature of Suit: AC Other Tort		(Date File Stamp)

Associate Division Summons

The State of Missouri to: CREDIT CONTROL, LLC

Alias:

REG. AGT. RICHARD SAFFER
3300 RIDER TRAIL S, STE. 500
EARTH CITY, MO 63045

SPECIAL PROCESS SERVER

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court physically if the courthouse is open to the public for said proceedings or virtually if not on the date, time, and location above to answer the attached petition. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. You may be permitted to file certain responsive pleadings, pursuant to chapter 517, RSMo. Should you have any questions regarding responsive pleadings in this case you should consult an attorney.

***Due to COVID19 challenges, virtual appearances by Webex.com are required until further order of this Court. ***
If you have a disability requiring special assistance for your court appearance, please contact the court at least 48 hours in advance of scheduled hearing.

May 27, 2022

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Service must not be made less than 10 days nor more than 60 days from the date the defendant/respondent is to appear in court.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to:

RACHEL TURMAN

(name) SYSTEM SUPPORT SPECIALIST (title).

☐ other:

Served at 3300 RIDER TRAIL S, STE 500 EARTH CITY, MO 63045 (address) in
ST. LOUIS COUNTY (County/City of St. Louis), MO, on 5-27-2022 (date) at 2:57 PM (time).

MARK EFFINGER

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer.

Subscribed and sworn to before me on May 27, 2022 (date).

(Seal)

Katherine Effinger

My commission expires: 8-29-2022

Date

Notary Public

Notary Public - Notary Seal
STATE OF MISSOURI

Jefferson County

My Commission Expires: August 29, 2022

OSCA (01-21) SM20 (ADSM) For Court Use Only: Document ID# 22-ADSM-3665

1 of 1

517.041 RSMo



IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

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☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to:

_____, (name) _____ (title).

☐ other: _____

Served at _____ (address) in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer.

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Information For Virtual Appearances via Webex Associate Circuit Civil Cases -- Page 1

During the Coronavirus pandemic (COVID-19) , the 22st Judicial Circuit (St. Louis City) has remained open and operational with limited access for in-person appearances pursuant to Missouri Supreme Court Orders and Operational Directives. Until further court order, all associate civil cases pending in Divisions 28 will be conducted virtually via the Webex or other court approved video technology.

In order to participate through Webex or other court approved video technology, you **MUST** have a valid email address or access to a phone.

You may appear in one of three ways:

1. Attend by Webex or other court approved video technology (computer or smart phone);
2. Attend by Webex or other court approved audio technology (telephone);
3. **Only appear in person if you have been informed that Division 28 will conduct in person proceedings on the date your hearing is set.**
To check on your case by telephone call Division 28 at 314-613-3185 or the circuit clerk's office at 622-4433 during regular business hours.
You can access your case online on CaseNet at www.courts.mo.gov

If you fail to appear at your scheduled Court hearing by one of the three methods above, a default judgment may be entered against you.

To appear at the Webex hearing please follow the steps below:

Parties are required to appear in court on the date ordered physically if the courthouse is open for your specific proceeding or virtually using the below URL link and/or Audio Connection with the Meeting Number/Access Code 967 395 750

URL:
<https://mocourts.webex.com/meet/craig.higgins/>

Meeting Number:
967 395 750
Video Address:
craig.higgins@mocourts.webex.com

Audio connection:
United States Toll +1-408-418-9388

Access code:
967 395 750

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Additional Information For Self-Represented Litigants on Associate Circuit Civil Cases – Page 2

1. The WebEx app is free and available through all phone app stores, such as the Google Play store or iTunes. The call in number is a toll call.
 2. At the time of your scheduled hearing, you should log into Webex or call in using the audio connection above.
 3. If you have any questions, please call the Division 28 court clerk at 314-613-3185.
 4. VIDEO OR AUDIO RECORDING by litigants or by counsel **IS PROHIBITED**.
 5. Until your next court date, please consider the following:
 - You can monitor the status of your case online on CaseNet at www.courts.mo.gov. Use the "Track this Case" feature to automatically receive emails or text messages about your case.
 - Before coming to the courthouse, please check the St. Louis City Circuit Court website at www.stlcitycircuitcourt.com to determine whether the courthouse will be open on the day of your scheduled court hearing.
 - To check on your case by telephone call Division 28 at 314-613-3185 or the circuit clerk's office at 622-4433 during regular business hours. Due to the increased volume of calls, court clerks may not be available at all times to answer questions via telephone.
 - You have the right to hire an attorney to represent you.
 - Attorneys must mark and e-file all documents.
 - If you are not represented by a lawyer, you may file answers or other pleadings with the court by mail, or when the Court is open to the public come in person to the St. Louis City Circuit Clerk's office, 10 North Tucker, St. Louis, MO 63108.
 - Parties are encouraged, but in no way required, to engage in settlement discussions regarding their cases. If a settlement is reached, a Consent Judgment resolving the case may be filed with the court. A consent judgement must be signed by all the parties and dated.
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2222-AC05657

**IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI
ASSOCIATE DIVISION**

VALERIE WESTBROOK,

Plaintiff,

v.

CREDIT CONTROL, LLC,

Serve at:

Reg. Agt. Richard Saffer
3300 Rider Trail S, Ste. 500
Earth City, MO 63045

Defendant.

Cause No

Division

JURY TRIAL DEMANDED

PETITION

COMES NOW Valerie Westbrook ("Plaintiff"), by and through her undersigned counsel,
and for her petition states as follows:

INTRODUCTION

1. This is an action for actual and statutory damages brought to the Court by an individual consumer for violations of the Fair Debt Collections Practices Act, 15 U.S.C. § 1692 et seq. ("FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

2. Plaintiff demands a trial by jury on all issues so triable.

JURISDICTION

3. This Court has jurisdiction of the FDCPA claim under 15 U.S.C. § 1692k(d), as Defendant's collection activity was directed to Plaintiff at her residence in Missouri. Plaintiff suffered the harms described herein in Missouri. Venue is proper in the City of St. Louis, Missouri for this reason.

PARTIES

4. Plaintiff is a natural person currently residing in Saint Louis, Missouri. Plaintiff is a “consumer” within the meaning of the FDCPA.

5. The alleged debt Plaintiff owes arises out of consumer, family, and household transactions. Specifically, the alleged debt arose from consumer purchases of goods and services Plaintiff made on her Capital One Kohl’s credit account.

6. Plaintiff has a bona-fide dispute of the debt. While Plaintiff did purchase consumer goods and services on her Kohl’s credit account, the balance alleged of \$603.28 is not accurate to the best of Plaintiff’s understanding as it overstates any amount that could be due or owing to Defendant, specifically, Plaintiff believes that the balance grossly overstates the available credit on the card.

7. Defendant Credit Control, LLC (“Defendant”) is a domestic limited liability company with its principal place of business located in the state of Missouri.

8. The principal business purpose of Defendant is the collection of debts nationwide; Defendant regularly attempts to collect debts alleged to be due to another entity.

9. Defendant is engaged in the collection of debts from consumers through means of using mail and telephone. Defendant is a “debt collector” as defined by the FDCPA. 15 U.S.C. §1692a(6).

FACTS

10. Defendant’s collection activity, of which Plaintiff disputes, occurred within the previous twelve (12) months.

11. On April 25, 2022, Defendant attempted to collect the alleged consumer debt from Plaintiff via mail by sending its collection letter to Plaintiff. Plaintiff received this collection letter on approximately April 30, 2022.

12. Plaintiff believed the balance to be suspicious for the reasons stated above.

13. Accordingly, Plaintiff hired an attorney to advise her with respect to the debt that Defendant was trying to collect.

14. Plaintiff paid her attorney a significant fee for this representation to ensure that Defendant would be compelled to deal with her attorney once Plaintiff informed Defendant that she had retained counsel.

15. Shortly after retaining counsel, on May 23, 2022, Plaintiff called Defendant to provide her attorney's contact information and to advise Defendant that she disputed the debt.

16. After verifying Plaintiff's identity, Plaintiff informed Defendant that she had hired an attorney to help her in regards to the alleged debt.

17. Defendant, rather than taking Plaintiff's attorney's contact information and ending the call, proceeded to attempt to collect on the debt. Specifically, Defendant told Plaintiff that "They (Kohl's) only allow me to resolve the debt for 50% of the balance."

18. This was an attempt to collect directly from Plaintiff and an attempt to make it seem that Plaintiff's decision to hire counsel was an unbeneficial one.

19. Plaintiff reiterated that she prefers her lawyer to handle the debt for her.

20. Defendant never took down Plaintiff's attorney's information or phone number.

21. Defendant's above-described conduct has caused Plaintiff to incur actual damages including but not limited to attorneys' fees paid to her counsel, anxiety, frustration, and worry.

22. Further, Defendant's above-described conduct has caused Plaintiff to suffer the following additional injuries in fact:

a. Plaintiff has been deprived of her statutorily created right to attorney representation on a debt.

23. The injuries in fact are fairly traceable to the challenged actions of Defendant in that Defendant engaged in the phone call with Plaintiff.

24. Plaintiff's injuries in fact are likely to be redressed by a favorable decision in this Court.

COUNT I: VIOLATION OF THE FDCPA

25. Plaintiff re-alleges and incorporates by reference all of the above paragraphs.

26. In its attempts to collect the alleged debt from Plaintiff, Defendant has committed violations of the FDCPA, 15 U.S.C. § 1692 et seq., including, but not limited to, the following:

a. Refusing to cease collection communications with Plaintiff once Defendant knew or should have known that Plaintiff was represented by counsel. 15 U.S.C. § 1692c.

b. Engaging in harassing, abusive, deceptive, misleading, unfair, and unconscionable conduct in the collection of a debt, including but not limited to refusing to acknowledge Plaintiff's right to attorney representation. 15 U.S.C. § 1692d-f.

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendant for:

- A. Judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages in an amount to be determined by the jury;

C. Statutory damages, costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692(k); and

D. For such other relief as the Court may deem just and proper.

Respectfully submitted,

VOYTAS LAW, LLC

By: /s/ Richard A. Voytas, Jr.

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7321 S. Lindbergh Blvd., Suite 101

St. Louis, MO 63125

Phone: (314) 380-3166

Attorneys for Plaintiff